

Message Text

LIMITED OFFICIAL USE

PAGE 01 MONTEV 00241 201929Z

13-11

ACTION ARA-10

INFO OCT-01 ISO-00 L-03 ORM-02 DHA-02 SS-15 AID-05 ACDA-05

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 USIA-06 IGA-02 TRSE-00 OMB-01 EB-07

/081 W

----- 057933

R 201826Z JAN 76

FM AMEMBASSY MONTEVIDEO

TO SECSTATE WASHDC 0507

LIMITED OFFICIAL USE MONTEVIDEO 0241

FOR AA/LA HERMAN KLEINE

E.O. 11652: N/A

TAGS: SHUM, UY

SUBJ: NEW INITIATIVES IN HUMAN RIGHTS

REF: AIDTO CIRC A-687

1. SUMMARY. A COUNTRY TEAM REVIEW OF THE HUMAN RIGHTS SITUATION IN URUGUAY AND AID'S NEW INITIATIVES PROGRAM HAS BEEN CONDUCTED. THE COUNTRY TEAM NOTED THAT TO THE EXTENT IT EXISTS IN URUGUAY, THE HUMAN RIGHTS PROBLEM CONCERNS ABUSES COMMITTED AGAINST A SMALL MINORITY OF PEOPLE; THIS IS APART FROM THE GENERAL RESTRICTIONS APPLYING TO ALL TODAY IN REGARD TO POLITICAL ACITIVTY, EXPRESSION, ETC. THESE ABUSES GENERALLY OCCUR DURING SECURITY OPERATIONS AND INVOLVE POLICE OR MILITARY UNITS. THE COUNTRY TEAM CONCUDED THAT IT IS UNLIKELY THAT AID PROGRAMS, EXCEPT THOSE WORKING DIRECTLY WITH SUCH UNITS (AND WHICH ARE TODAY PROSCRIBED), ARE NOT LIKELY TO SUBSTANTIALLY REDUCE THE INCIDENCE OF HUMAN RIGHTS VIOLATIONS IN URUGUAY. NEVERTHELESS, WE WILL EXPLORE WITH THE GOU THE POSSIBILITY OF OTHER PGOGRAMS WHICH CAN BE SUPPORTED

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MONTEV 00241 201929Z

BY AID SUCHAS EXCHANGES, UNIVERSITY STUDIES, ETC. THE MISSION

ALSO INTENDS TO CONTINUE ITS QUIET DIPLOMATIC EFFORTS IN THE HUMAN RIGHTS FIELD WHICH IT BELIEVES MOST LIKELY OF ANY ACTION TO HAVE GOOD EFFECT IN THE LONG RUN. END SUMMARY.

NATURE OF HUMAN RIGHTS PROBLEM IN URUGUAY

2. IN RLATION TO AID'S NEW INITIATIVVES PROGRAM DESCRIBED IN THE REFERENCE, THE COUNTRY TEAM CAREFULLY REVIEWED THE HUMAN RIGHTS SITUATION IN URUGUAY. THE EMBASSY HAS KEPT THIS SITUATION UNDER CLOSE OBSERVATION AND ANALYSIS FOR THE PAST TWO YEARS AND HAS MADE QUIET DIPLOMATIC REPRESENTATION AS APPROPRIATE.

3. THE FACTS EMERGING FROM THIS REVIEW ARE:

(A) ECONOMIC "HUMAN RIGHTS" ARE GENERALLY RESPECTED. LONG ESTABLISHED AND RELATIVELY ENLIGHTENED POLICIES OF PROVIDING SOCIAL SECURITY, EPLOYMENT, WOMEN'S RIGHTS, ACCESS TO FREE EDUCATION THROUGH THE UNIVERSITY, HEALTH CARE, ETC., CONTINUE UNDER THE PRESENT GOVERNMENT.

(B) POLITICAL CIVIL LIBERTIES HAVE ON THE OTHERHAND BEEN SEVERELY LIMITED IN URUGUAY. DESPITE CONSTITUTIONAL GUARANTEES, FREEDOM OF EXPRESSION, ASSEMBLY AND ASSOCIATION CAN NO LONGER BE TAKEN FOR GRANTED.

(C) THE MOST SIGNIFICANT VIOLATIONS OF HUMAN RIGHTS OCCUR IN CONNECTION WITH SECURITY OPERATIONS AGAINST TERRORIST OR SUBVERSIVE ORGANIZATIONS SUCH AS THE TUPA-MAROS OR THE COMMUNIST PARTY OF URUGUAY. MEMBERS OF THESE ORGANIZATIONS WHO ARE ACCUSED OR SUSPECTED OF ENGAGING IN ILLEGAL ACTIVITIES DO NOT ENJOY FULL LEGAL PROTECTION. PSYCHOLOGICAL ABUSE OF SUCH PEOPLE WHEN TAKEN INTO CUSTODY, AND SUBSEQUENT PHYSICAL ABUSE OF SOME OF THEM, REPORTEDLY OCCUR WITH DISTURBING REGULARITY. IN ADDITION, THEIR FAMILIES ARE FREQUENTLY SAID TO BE KEPT TOTALLY UNINFORMED AS TO THEIR WHEREABOUTS AND CONDITION. EXPLICIT CONSTITUTIONAL SAFEGUARDS AND TRADITIONAL LEGAL GUARANTEES STILL REMAIN VALID AND OPERATIVE FOR THE VAST MAJORITY OF URUGUAYANS; BUT THE SYSTEM IS EITHER INOPERATIVE OR IF OPERATIVE ONLY SLUGGISHLY SO, FOR THOSE IN A SMALL MINORITY WHO ARE ACCUSED OF TERRORISM, SUBVERSION OR MILITANT LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MONTEV 00241 201929Z

COMMUNISM. IT IS IN THIS AREA THAT CHANGES WILL HAVE TO BE MADE IF THE HUMAN RIGHTS SITUATION IS TO IMPROVE IN URUGUAY.

4. THE COUNTRY TEAM NOTED THAT WHEREAS THE RECENT DRIVE AGAINST MILITANT COMMUNISTS ASSOCIATED WITH THE NEWLY DISCOVERED MILITARY APPARATUS OF THAT PARTY HAS DOUBTLESSLY BEEN ACCOMPANIED BY AN INCREASE IN VIOLATIONS AS DESCRIBED,

IT STILL BELIEVES THAT THE OVERALL TREND IN URUGUAY IS TOWARD IMPROVEMENT AS COMPARED WITH THE SITUATION SEVERAL YEARS AGO.

POSSIBLE APPROCHES WHICH MIGHT BE TAKEN TO ASSIST URUGUAY.

5. THE COUNTRY TEAM, ATTEMPTING TO BE RESPONSIVE TO THE AID INITIATIVE, DISCUSSED AT LENGTH VARIOUS IDEAS FOR USING GRANT FUNDS TO ASSIST THE GOU IN IMPROVING THE HUMAN RIGHTS SITUATION IN URUGUAY. PROJECT SUGGESTIONS FOR ASSISTING THE COUNCIL OF STATE'S HUMAN RIGHTS COMMISSION, UNIVERSITY LAW FACULTY, LOCAL PRESS GROUPS, AND OTHER INSTITUTIONS WERE THOROUGHLY CONSIDERED. CONSIDERATION WAS GIVEN TO ASSISTANCE TO GOVERNMENTAL INSTITUTIONS TO PREVENT VIOLATION OF HUMAN RIGHTS FROM TAKING PLACE AS WELL AS INSTITUTIONS THAT COULD INVESTIGATE VIOLATIONS AFTER THEY TAKE PLACE. HOWEVER, THERE WAS A CLEAR CONSENSUS THAT ANY AID ASSISTANCE PROGRAM IN THIS AREA, TO HAVE REAL EFFECT OR BE MORE THAN "WINDOW DRESSING", MUST BE DIRECTED AT THE ROOT OF THE PROBLEM AND DEAL WITH THOSE INSTITUTIONS RESPONSIBLE FOR THE VIOLATIONS OF HUMAN RIGHTS. THESE INSTITUTIONS ARE THE MILITARY AND POLICE UNITS WHICH ARE CONCERNED WITH ANTI-SUBVERSIVE OPERATIONS, AND THE CIVIL AND MILITARY JUDICIAL SYSTEMS WHICH HAVE NOT PREVENTED ABUSES. THERE WAS CONSIDERABLE DISCUSSION OF THE FACT THAT MILITARY AND POLICE INTERROGATION UNITS WERE SMALL, WOEFULLY UNDERSTAFFED AND POORLY TRAINED, AND THAT THE PRESSURE OF PROCESSING NUMEROUS SUSPECTS ALL TO FREQUENTLY LED TO VIOLATIONS.

U.S. LEGAL RESTRICTIONS ON FOREIGN ASSISTANCE

6. THE COUNTRY TEAM WAS OF THE OPINION THAT THE MOST EFFECTIVE TYPE OF USG ASSISTANCE WHICH COULD BE DIRECTED PREVIOUSLY TO THOSE MOST RESPONSIBLE FOR THE HUMAN RIGHTS LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 MONTEV 00241 201929Z

SITUATION, E.G., THE MILITARY AND THE POLICE, COULD NOT BE GIVEN BECAUSE OF THE PRESENT RESTRICTIONS OF THE U.S. FOREIGN ASSISTANCE ACT. THE TYPE OF ASSISTANCE ONCE PROVIDED TO POLICE FORCES UNDER THE NOW EXTINCT AID PUBLIC SAFETY PROGRAM, WHICH TRAINED LOCAL OFFICIALS ON HOW TO CONDUCT INVESTIGATIONS WITHOUT RESORT TO ILLEGAL OR INHUMAN MEANS, WAS IN THE COMMITTEE'S OPINION, ONE OF THE BEST MEANS TO HAVE A POSITIVE IMPACT ON THE HUMAN RIGHTS SITUATION. HOWEVER, THE USG'S CAPABILITY TO INFLUENCE AND CONSTRUCTIVELY ORIENT THE ACTIVITIES OF THOSE MOST RESPONSIBLE FOR HUMAN RIGHTS VIOLATIONS WAS ENDED WHEN THE PUBLIC SAFETY PROGRAM AND ANY USG SUPPORT TO FOREIGN PUBLIC ORDER INSTITUTIONS WAS TERMINATED.

TENTATIVE NEW INITIATIVES

7. THE COUNTRY TEAM ALSO DISCUSSED OTHER POSSIBLE TYPES OF ASSISTANCE IN THE HUMAN RIGHTS FIELD. ASSISTANCE SUCH AS EXCHANGES, UNIVERSITY STUDIES, TRAINING AND SOME BUDGET SUPPORT TO THE COUNCIL OF STATE'S HUMAN RIGHTS COMMISSION, WHILE UNLIKELY IN ITSELF TO HAVE MUCH EFFECT ON THE HUMAN RIGHTS SITUATION HERE, IS FEASIBLE. IN THE LONG RUN SUCH PROGRAMS COULD BE USEFUL IN DEMONSTRATING OUR CONTINUING CONCERN WITH HUMAN RIGHTS IN THIS COUNTRY.

ACTION TO BE TAKEN

8. THE MISSION, IN THE ABSENCE OF A FEASIBLE PROGRAM WHICH MIGHT HAVE A DIRECT IMPACT ON THE HUMAN RIGHTS SITUATION IN URUGUAY, INTENDS TO CONTINUE ITS DIPLOMATIC EFFORTS WITH THE URUGUAYAN GOVERNMENT. WE WILL CONTINUE TO VOICE OUR CONCERN ON HUMAN RIGHTS MATTERS AND URGE POLITICAL LEADERS TO ENFORCE THE NECESSARY CHANGES. WE WILL ALSO EXPLORE WITH THE GOU POSSIBLE NEW INITIATIVES IN THIS AREA, SUCH AS EXCHANGE PROGRAMS, SUPPORT TO UNIVERSITIES AND SUPPORT TO THE COUNCIL OF STATE'S HUMAN RIGHTS COMMISSION. IF SUCH PROGRAMS CAN BE DEVELOPED, THE MISSION WILL SUBMIT PROJECT DESCRIPTIONS TO THE BUREAU.

9. THE MISSION ALSO WILL CONTINUE CLOSELY TO MONITOR THE ENTIRE HUMAN RIGHTS AREA SO AS TO ENSURE THAT THE DEPARTMENT OF STATE HAS THE BEST POSSIBLE INFORMATION ON THE SITUATION HERE.

SIRACUSA

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 05 MONTEV 00241 201929Z

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS, COUNTRY TEAM
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MONTEV00241
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760022-0413
From: MONTEVIDEO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760139/aaaabifd.tel
Line Count: 201
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 21 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 JUL 2004 by ShawDG>; RELEASED <21 JUL 2004 by ShawDG>; APPROVED <29 OCT 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NEW INITIATIVES IN HUMAN RIGHTS
TAGS: SHUM, UY
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006